

## Message Text

UNCLASSIFIED

PAGE 01 MONTRE 00411 070116Z

72

ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-10 EA-10 NEA-09 CAB-05

CIAE-00 COME-00 DODE-00 DOTE-00 EB-07 INR-07 NSAE-00

FAA-00 NSCE-00 SSO-00 USIE-00 INRE-00 L-02 SS-15

NSC-05 PA-02 PRS-01 /102 W

----- 059338

O 062255Z MAR 75

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC IMMEDIATE 6043

UNCLAS MONTREAL 0411

FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - COUNCIL CONSIDERATION ISRAEL AND US PAPERS ON  
SECURITY MEASURES (CWP/6125 AND CWP/6135)

REF: MONTREAL 0392

SUMMARY: COUNCIL RESUMED DISCUSSIONS WITH SECTION 4 "PROSECUTION OF OFFENDERS". ENTIRE SECTION TURNED DOWN PARA BY PARA. (3(1) AND (2) ONLONG-RANGE WEAPONS ALSO DELETED.) CONSIDERATION OF SECTIONS 5 AND 6 RESULTED IN REFERRALS TO COMMITTEE UNLAWFUL INTERFERENCE, AND SECGEN TO PRESENT COST PAPER TO COUNCIL ON UPDATING CONSOLIDATED DOCUMENT. COUNCIL BY CONSENSUS ACCEPTED GERMANPROPOSAL TO ASK SECGEN TO PREPARE DRAFT STATE LETTER BASED ON 2(1) AND (2), 3(9) AND REVIEW OF ANNEX 17. COUNCIL REFERRED U.S. PAPER (CWP/6135) EN TOTO TO CUI WITHOUT COMMENT.

1. COUNCIL CONTINUED CONSIDERATION OF CWP/6125 AT SECTION 4 ON "ASSURING PROSECUTION OF OFFENDERS". 4(1) REQUESTED NO ACTION. 4(2) LED TO DISCUSSION ON HISTORY LED BY FRANCE (WHICH HAS OPPOSED PREVIOUS SIMILAR EFFORTS TO GIVE EFFECT TO HAGUE/MONTREAL CONVENTIONS APART FROM RATIFICATION.) CHINA REFERRED TO CHIANG  
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MONTRE 00411 070116Z

CLIQUE AS "STILL A PARTY" TO THESE CONVENTIONS WHICH PRECLUDES

PRC MEMBERSHIP BUT PRC "TAKING INTEREST ANYWAY". INDIA REQUEST FOR LEGAL OPINION LED SECGEN TO ADVISE THAT A STATE NOT OBLIGATED IF IT HAS NOT RATIFIED. JAPAN PREFERRED "URGING RATIFICATION" RATHER THAN CALL TO STATES TO "GIVE EFFECT." ALTHO ISRAEL SUGGESTED MODIFICATIONS "IN ACCORDANCE WITH NATIONAL LAWS" THERE WAS NO PROPOSAL AND NO SUPPORT.

2. REGARDING 4(3) SANCTIONS THRU BILATERAL AGREEMENTS -- CHINA, BRAZIL, CANADA, INDIA, PAKISTAN BRIEFLY/FIRMLY OPPOSED AN INTRUSION ON SOVEREIGN RIGHTS AND INTERNAL AFFAIRS AND PARA WAS DECLARED "OUT".

3. PARA 4(4) AND (5) INDIA AND FRANCE OPPOSED AS "POLICE FUNCTION" AND DIFFERENT FROM REPORTING ALREADY REQUIRED. FEELING AGAINST 4(B) RE CUI AS "PROSECUTOR" WAS SO NEGATIVE THAT NO ONE WOULD SPEAK AND PARA WAS DECLARED OUT. 4(7) EVOKED DISCUSSION AND GERMAN PROPOSAL TO INVITE INTERPOL TO CUI. US MADE SUGGESTION THAT QUESTION BE REFERRED TO CUI BUT OPPOSITION INCLUDING UK LED TO DROPPING PARA. 4(8) WAS DROPPED ALTHO ISRAEL OFFERED TO LIMIT IT TO "STATES PARTIES TO" THE CONVENTIONS.

4. SECTION 5 WAS CONSIDERED MORE POSITIVELY. ISRAEL DID NOT PRESS (1) BECAUSE IT'S ALREADY DONE. (2) (3) AND (4) WERE REFERRED TO CUI ON MOTIONS OF UK AND GERMANY. FIRM OPPOSITION TO 5(5) BY INDIA, TRINIDAD-TOBAGO, BRAZIL, COLOMBIA LED TO PROMPT DISCARD. UK AND FRANCE INTERVENTIONS LED TO ADDING UPU AND INTERPOL TO LIAISON LIST AND "NOTING" BY COUNCIL AND SECGEN.

5. SECTION 6(1) AND (5) WERE CONSIDERED STAFFING QUESTIONS, PREROGATIVES OF SECRETARY GENERAL NOT COUNCIL BUT DISCUSSION WAS ESPECIALLY NEGATIVE RE 6(5). PARA 6(2) WAS NOT PRESSED BY ISRAEL SINCE IT WAS POINTED OUT THAT SECURITY ALREADY ON WORK PROGRAMME (BUDGET), AND "CONSOLIDATED STATEMENT OF POLICY" IS ASSEMBLY DOCUMENT NOT COUNCIL. 6(3) ON SECURITY TRAINING REFERRED TO CUI. 6(4) ON A CONSOLIDATED SECURITY DOCUMENT WAS INTERPRETED AS AN UPDATING OF ICAO DOC 8849-C/990/2 OF AUG 71. SOME INCLUDING US SAW NEED FOR UPDATING, BUT OTHERS (INDONESIA) NOT. SECGEN WAS ASKED TO PRESENT PAPER TO COUNCIL ON COST OF UPDATING/PUBLISHING DOC.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 MONTRE 00411 070116Z

6. WHEN COUNCIL RETURNED TO DEFERRED PARAS 2(1) AND (2) GERMANY PROPOSED THAT COUNCIL ASK SECGEN TO PREPARE DRAFT LETTER TO STATES CONTAINING ESSENCE THESE TWO PARAS AND "REFERENCE TO OTHER MATTERS ALREADY CONSIDERED AND YET TO BE CONSIDERED". (LATTER MEANT TO INCLUDE COUNCIL REFERRAL OF MATERIAL IN US PAPER TO CUI.) PRES/COUNCIL ELABORATED CLEVERLY SUGGESTING DEFERRED PARA 3(9) ALSO BE INCLUDED (US SUGGESTION) AND REFERENCE TO RECENT APPLICATION ANNEX 17. CONSENSUS PRESENT BUT USSR ASKED

WHY STATUTORY MAJORITY NOT REQUIRED. PRES RESPONDED THAT COUNCIL ONLY ASKING SECGEN FOR DRAFT -- NOT DECIDING. (ALTHO USSR DIDN'T PRESS FURTHER, INTERVENTIONS SERVED TO FORCE PRES TO MODIFY WHAT HAD BEEN CLEAR BLACK/WHITE DECISION.)

7. COUNCIL TURNED TO US PAPER. IN VERBAL PRESENTATION USREP PROPOSED REFERRAL TO COMMITTEE UNLAWFUL INTERFERENCE. THERE WAS NO DISCUSSION AND REFERRAL MADE BY CONSENSUS.  
HARPER

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, PHYSICAL SECURITY, ANTIHIJACKING PROCEDURES, MEETING OBSERVERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975MONTRE00411  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750079-0585  
**From:** MONTREAL  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750377/aaaacqym.tel  
**Line Count:** 124  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 MONTREAL 0392  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27 MAY 2003 by BalzMJ>; APPROVED <25 FEB 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ICAO - COUNCIL CONSIDERATION ISRAEL AND US PAPERS ON SECURITY MEASURES (CWP/6125 AND CWP/6135)  
**TAGS:** PORG, EAIR, ICAO  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006